UNITED
NATIONS

CCPR

International covenant
on civil and
political rights

Distr.
GENERAL

CCPR/C/SR.1590
19 September 1997

ENGLISH
Original: FRENCH

HUMAN RIGHTS COMMITTEE

Sixtieth session

SUMMARY RECORD OF THE 1590th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 15 July 1997, at 3 p.m.

Chairman: Mrs. CHANET

later: Mr. BHAGWATI

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GE.97-17315 (E)

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE COVENANT (agenda item 4) (continued)

Initial report of Slovakia (continued) (CCPR/C/81/Add.9; CCPR/C/60/Q/SLO/4)

1. At the invitation of the Chairman, the members of the delegation of Slovakia took places at the Committee table.

2. The CHAIRMAN invited members of the Committee to ask additional questions concerning the replies given by the Slovak delegation to the first part of the list of issues (CCPR/C/60/Q/SLO/4, paras. 1-12).

3. Mrs. EVATT thanked the Slovak delegation for the information it had already given in addition to the information contained in the initial report. She would nevertheless welcome clarification of various points which, in her opinion, had not been answered. Thus, referring to paragraph 1 of the list, which related to non-discrimination, she asked whether a person who claimed to be a victim of discrimination by a public body could take legal action in order to obtain redress and, if so, what kind of redress that person could expect to receive, such as reinstatement in his job or compensation. Article 26 of the Covenant imposed an obligation on States parties to prohibit any form of discrimination whatsoever, and she would like to know how Slovakia complied with that obligation. Were there remedies which private individuals could exercise in the event of discrimination, notably in the areas of employment and housing? And were there any informal organizations which could settle disputes, or were private individuals obliged to go to court?

4. In connection with question 2, which concerned racist and anti-semitic activities, she noted that the Slovak delegation had candidly acknowledged that members of the Roma minority had been victims of acts of violence, that the police had not always taken the necessary measures to protect that minority and that the persons responsible for the violence had not always been prosecuted. She asked what positive measures were being taken to remedy that state of affairs, and whether the Slovak authorities were considering taking action to combat inter-ethnic racism and to ensure that education programmes were initiated in order to change public attitudes in that area.

5. In connection with question 3 (non-discrimination against women), she asked to what extent a woman had the necessary means to lodge a complaint in the event of discrimination by a State body or an employer. She understood that in Slovakia there was great inequality between men's and women's wages; she would like to know whether women suffering from that type of discrimination could appeal to an authority and, if so, which one. In connection with question 4 (violence against women), she asked whether there was a programme for monitoring the effects of any measures the authorities might have taken to prevent and punish such violence. On that point the Committee had been informed of the enactment in Slovakia of legislation concerning illegal abortion; she would like to know whether the existence of that legislation had had any effect on the maternal mortality rate.

6. In connection with question 6, she would welcome further information on measures which had been taken to ensure that the Slovak investigation departments were entirely free of political pressure and, in relation to question 8, she asked why detainees did not have the right to communicate simultaneously with their relatives and with a lawyer and did not have the right to be examined by a doctor immediately. Lastly, on questions 11 and 12, she asked whether it was true that a Member of Parliament had been punished for having changed his political allegiance and how the freedom guaranteed by the Constitution in that area was respected.

7. Mr. YALDEN said he was particularly interested in the questions concerning the situation of women and minorities, questions on which the Slovak delegation had not given sufficient details concerning the actual situation. In that respect, he associated himself with the questions asked by Mrs. Evatt about equal pay for men and women in the civil service, and would also like to know how many women civil servants there were, what positions they held, and, if any shortcomings existed in that area, what measures were being taken by the authorities to remedy inequalities.

8. In connection with question 5 concerning the rights of persons belonging to minorities, he regretted that the Slovak delegation had been unable to provide precise statistics on the proportion of members of ethnic minorities employed in the civil service. He would like to know whether that proportion was sufficient and, if not, what measures the Slovak authorities intended to take to ensure that all minorities were equitably represented in the civil service. In addition, he noted that detailed information was given in paragraph 98 of the report on schools in which the language of instruction was Hungarian, but he would like the Slovak delegation to further state the percentage of children of Hungarian origin who were enrolled in school, as a proportion of the total school-age population. He also wondered why the Language Act which had come into force in January 1996 stipulated that school reports should be in Slovak only. He noted that the Slovak report made no mention of the possibility, for children belonging to the Roma minority, to be educated in their own language. In that connection, it seemed to him that Act No. 428/1990 relating to the official language of the Slovak Republic, mentioned in paragraph 96 of the report, contained extremely restrictive provisions as compared with the legislation enacted in other countries in a similar situation. He would welcome an explanation by the Slovak delegation of the justification for such an Act.

9. Lastly, concerning question 10 relating to freedom of expression, he asked whether in that area too the use of their own language by the minorities could be restricted in the media, and in particular on radio and television.

10. Mr. BHAGWATI thanked the Slovak Government and delegation for the efforts they had made to describe the human rights situation in Slovakia and thereby conduct a fruitful dialogue with the Committee. He welcomed the fact that one of the first measures taken by Slovakia as an independent State had been to ratify the Covenant and the Optional Protocol. However, for that type of measure to be truly effective, it was essential to establish an appropriate institutional mechanism and, in that respect, he would like to know whether Slovakia intended to set up a national human rights commission to which citizens could have access when they had complaints to make. Similarly, he

asked whether programmes had been initiated in Slovakia in order to provide training and education in the field of human rights in civil society, notably for Members of Parliament, magistrates, civil servants and, generally speaking, all persons exercising some form of authority. He also asked about the nature of the relationships between the Government and NGOs and whether the latter could take action without necessarily being registered with the governmental authorities.

11. Referring to paragraph 26 of the report, he asked in what cases assistance by a defence counsel was not mandatory. In addition, there were numerous reports of violence by skinheads and the police against the Roma minority. He asked what measures had been taken by the Government to prevent that type of violence, whether those responsible had been prosecuted and, if so, how many had been convicted. Did schools and universities have teaching programmes designed to bring about a change of attitude among young people towards the Roma and other minority groups?

12. Lastly, on the question of freedom of expression in Slovakia, he had received many reports of restrictions on the freedom of journalists, some of whom had been prosecuted for criticizing the Government or had been forced to engage in self-censorship. He asked the Slovak delegation what the actual situation was and whether the Government intended to take measures to remedy any violations of the right of freedom of expression.

13. Mrs. MEDINA QUIROGA said that she, too, would welcome further information on several points. Firstly, concerning question 3, which related to non-discrimination against women, she noted that the existing legislation was fairly comprehensive, but wondered whether positive measures were taken in practice, notably to ensure that women enjoyed equal access to education. She also asked what type of education was available to women and whether the training opportunities they were given enabled them to make genuine choices and to escape from traditionally subordinate jobs. In connection with question 4, which related to violence against women, she would like to know the reasons why women hesitated to lodge complaints, as the Slovak delegation had stated. Were the reasons of a cultural nature or did they relate to the existing machinery? Women often encountered great difficulty in having access to the police or taking legal action. Was the Government taking positive measures in that area? In addition, what were the provisions that made up the Prevention of Crime Bill, which had been mentioned in the context of violence against women?

14. In connection with question 8, she was surprised that the assistance of a defence counsel was not mandatory in all cases. That was contrary to the provisions of article 14 of the Covenant, which established every defendant's right to defence. She asked whether the provisions applicable in defamation trials varied according to whether the plaintiff was a senior official, a civil servant or a private individual. She also inquired whether it was true that the police had discretionary powers to hold asylum-seekers in custody and whether the latter had access to the courts. Lastly, she wondered whether the fact that university courses, appointments, promotions, etc. were within the aegis of the Ministry of Education did not impede academic freedom.

15. Mr. BUERGENTHAL said that the Slovak report, which mainly contained quotations from the Constitution, gave the impression that that country had achieved perfection in the area of human rights. The explanations furnished by the Slovak delegation had admittedly placed the situation in perspective, but the members of the Committee would have welcomed more information about the problems arising in Slovakia, because it was in that way that the dialogue between a State party and the Committee became meaningful. The first question he would like to put to the delegation was how a person could lodge a complaint against ill-treatment during police custody or imprisonment. Did an independent commission or judges regularly inspect prisons? Or did prisons come under the exclusive competence of the Ministry of Justice, the police or the prison administration?

16. Secondly, on the question of the Roma, he would like to know whether any of them had become stateless following the separation of the Czech Republic and Slovakia and whether there was any discrimination in relation to the acquisition of Slovak nationality by Roma. Were there many Roma who did not have Slovak nationality in Slovakia? If there were, where did they come from and what was their status? In the areas where there were many Roma, was there an official local organization for liaison between the police and the Roma community? He was concerned about that point because of reports of abuses by the police.

17. Lastly, he would like to know what educational measures had been taken by the Slovak Government to promote inter-ethnic tolerance, in the context of the media under State control and school curricula. What was being done to ensure that textbooks did not convey anti-Semitic or anti-Roma stereotypes?

18. Mr. KRETZMER associated himself with Mr. Klein's comments on the important role played by the democratic institutions for the protection of human rights and, like Mrs. Evatt and other Committee members, noted that the report dealt mainly with legislation and insufficiently with what was being done in practice to protect human rights in Slovakia.

19. His first question concerned freedom of expression (question 10 of document CCPR/C/60/Q/SLO/4) and, more particularly, the Slovak Council for Radio and Television Broadcasting, which, according to paragraph 76 of the report, has so far "preserved its independence". It emerged from reports from other sources that the situation was perhaps not as good as one might think: there was alleged to be interference by the public authorities in television broadcasts, and journalists whose reports were not favourable to the Government were censored or even dismissed. In that connection, could the delegation enumerate the political parties represented in the above-mentioned Council, whose members were appointed by Parliament? Did they all belong to the main party in power or did some of them form part of the opposition? What measures existed to prevent State television from being manipulated by the authorities and to guarantee the equitable presentation of all opinions, including those of the opposition? His second question concerned the restrictions which had allegedly been imposed by the Government on the autonomous status of persons of Hungarian origin and Roma, which seemed to be at variance with article 27 of the Covenant. He would be grateful if the delegation could clarify matters.

20. Mr. TÜRK drew attention to the importance of the normative stage in the establishment of the human rights protection system and noted that the report submitted by Slovakia showed that the establishment of the system had been largely completed. However, the normative framework was insufficient; mention must also be made of the application of norms and institutions intended to protect human rights. In that connection, the two areas of particular interest to him were the protection of minorities and the right to take part in the conduct of public affairs.

21. In connection with minorities, he wished to raise the question of the dual system of education, with its monolingual schools and bilingual schools. He would like to know whether there was a debate on the advantages and disadvantages of the two systems and on the preferences expressed by the majority population and by minorities. Was there an organization which expressed the views of the minorities on those questions, an organization which simply played an advisory role or an organization empowered to take decisions, as was the case in other countries where minorities existed? The bilingual school system was not always favoured by minorities in Europe today, as they tended to prefer the monolingual system. The report did not show whether that question was being discussed in Slovakia. In addition, there was an important indicator of the actual situation of the schools intended for minorities and of the minority groups themselves, and also of the coexistence between the majority and minority populations, namely, the number of children attending minority schools. Had that number risen or fallen over the past five years? Could a comparison be made between the rate for school attendance by minority groups in Slovakia today and the rate at the time when Slovakia had formed part of Czechoslovakia?

22. Secondly, on the question of the right to take part in the conduct of public affairs, it was well known that an important referendum had been held in Slovakia at the end of May and that it had had to be annulled because two unrelated questions had been put to the population. In a memorandum published after that annulment, the Slovak Government acknowledged that the referendum had evinced shortcomings in the current legal system and the need to adopt measures to avert any ambiguous interpretation of legal provisions. The Government further stated that it was dealing seriously with the questions raised by the referendum. He would like to know what were the shortcomings in question and what measures had been proposed to rectify them. The referendum was in fact a direct means of expression of the population as a whole and was of particular importance in the so-called "countries in transition".

23. Mr. Bhagwati took the Chair.

24. Lord COLVILLE said he wished to ask just one question about minorities. No mention was made in the Slovak report of the appointment, in 1995, of a special representative for persons in need of special assistance, notably members of minority groups such as the Roma. He would like to know what mandate had been conferred on such a representative, what his duties were, what funds were at his disposal and what powers had been entrusted to him. Could he take measures to rectify certain situations brought to his attention? Could he transmit certain files with his recommendations or bring those cases before the courts? Since the office had existed for two years now, it would

be interesting to know what the incumbent had been able to do, since that would give some idea of what was happening in practice in Slovakia now that the normative process had been completed.

25. Mr. PRADO VALLEJO reminded the Committee that one of the purposes of the obligation of periodic reporting to the Committee was to enable States to publicize the progress they had achieved and the difficulties they had encountered in ensuring that the rights and guarantees set out in the Covenant were a reality for all their citizens. The report of Slovakia gave the impression that compliance with the obligations arising from the Covenant was causing no difficulty, but a closer look revealed that the situation was quite different.

26. First, reports from various sources, notably the Council of Europe, spoke of regular ill-treatment and torture by the police in the course of questioning. Those were said to be common practices, which obviously constituted a violation of article 7 of the Covenant. The obligation of the State party in such a situation was to conduct an inquiry into complaints relating to such practices, in order to identify the guilty parties and compensate the victims. In 1996, there had been 315 complaints of that type; he would like to know what action had been taken and what results achieved.

27. The second problem concerned discrimination against women, and in particular women married to foreigners; such women did not have a right of permanent residence in Slovakia even if their spouse was legally present in the country. If that was true, that constituted a violation of article 3 of the Covenant and even, indirectly, of article 23, which protected the family. Would measures be taken to ensure that the provisions in question were brought into line with the Covenant?

28. And thirdly, there were many reports of rules and practices which could be described as xenophobic, since they impeded the integration of refugees and asylum-seekers, within Slovak society. For example, any person seeking asylum who arrived in Slovakia could be detained for over 30 days even if he had committed no offence, simply in order to enable the authorities to conduct an inquiry into his case. Such detention was manifestly arbitrary since it was unjustified. There again, it was essential that the Committee should be informed of measures taken by the Slovak Government to give full effect to the rights and guarantees set out in the Covenant.

29. Mr. SCHEININ said he wished to take up three questions which had already been raised by other members. First, he shared the concern already expressed about racism and anti-Semitism, and considered that the Government and political forces must commit themselves to action to combat racism by publicly condemning all acts and manifestations of racially-inspired violence. However, it would seem that certain political leaders wishing to enhance their popularity, instead of condemning racial hatred, were making humiliating statements, particularly against the Roma, which could only heighten inter-ethnic tension. He would like to know whether it was the policy of the Slovak Government to clearly affirm that political leaders and representatives of the State had a duty to publicly condemn racial violence.

30. The second point concerned the treatment of minorities and, more particularly, the right to use minority languages in dealings with the administration and public authorities, in the light of the Official Language Act of 1995, which seemed to contain contradictory provisions. Article 1 contained a clause stating that the Act did not regulate the use of languages by the national minorities and ethnic groups; article 7, on the other hand, stipulated that the official language was to be used in contacts with the administration and that the use of the minority languages was subject to special regulations. However, no special regulations existed to date. There would, therefore, appear to be a lacunae in legal provisions on that point. In addition, the 1995 Act, which had entered into force in 1996, established penalties in the event of its violation. He would like to know how the Act had been interpreted with regard to the use of their own language by members of minorities in dealings and formalities vis-à-vis the administration.

31. Thirdly, with regard to the treatment of detainees, the State party's report and the delegation's replies to the questions raised in the list of issues (CCPR/C/60/Q/SLO/4) related only to arrest and detention in the context of criminal prosecution. However, article 9 of the Covenant was broader in scope, and he would like to know how it was implemented in Slovakia in connection with the arrest and detention of foreigners by the police and detention as a disciplinary measure in the army.

32. Mr. ANDO associated himself with other members of the Committee in welcoming the delegation of Slovakia. He had read the initial report with interest and, like others, regretted that it did not contain sufficient information about the actual situation in the country.

33. Since the Slovak delegation had itself acknowledged that members of national minorities were few and far between in higher education, which could hinder their chances of finding a job, he asked whether the Government was contemplating particular measures to remedy that situation.

34. Some members of the Committee had asked about possible government intervention in the activities of the media. He asked whether efforts were being made to enable the general public to have access to information that would enable it to take decisions in the political sphere and all other spheres of social activity. Given Slovakia's geographical situation, a large number of foreign radio and television stations could probably be received; it would be useful to know the actual situation, and in particular whether the majority of Slovaks had access to foreign media.

35. Lastly, on a quite different matter, he was concerned about the rights of defence in judicial matters, having noted from paragraph 49 of the report that the accused must have a defence counsel as from the pre-trial stage "if the respective criminal case is punishable by a maximum sentence of more than five years of imprisonment". However, since criminal proceedings were involved, all suspects and defendants must be treated in the same way. Perhaps there were not enough lawyers in the country; in any event, he would like to know the legal justification for that restriction.

36. The CHAIRMAN proposed that the meeting should be suspended to enable the Slovak delegation to prepare its replies to the numerous questions which had been asked.

The meeting was suspended at 4.30 p.m. and resumed at 4.50 p.m.

37. Mrs. Chanet resumed the Chair.

38. Mrs. KRASNOHORSKA (Slovakia) thanked the members of the Committee for the interest they had shown in her country's report and assured them that all their observations had been duly noted. Her delegation would endeavour to reply to as many questions as possible and had grouped them by subject.

39. Mr. JEZOVICA (Slovakia), answering the question concerning the possibility of a modification of the competence of the Constitutional Court, said that, as far as he knew, there were no plans for such action. In order to do so, in fact, Parliament would have to amend the Constitution by adopting a constitutional law by a three-fifths majority. It could therefore be seen that the power to modify the competence of the Constitutional Court did not lie with the Government.

40. One member of the Committee had asked whether the legality of the election of members of the Democratic Union party to the National Council had been or might be challenged. The answer was clearly that legally elected Members of Parliament retained their status, which there was no question of modifying.

41. Mr. GREXA (Slovakia), taking up the question of the referendum of May 1997 concerning Slovakia's entry into NATO, said it was true that the referendum had raised complex legal problems and that its annulment by the Referendum Commission had created a difficult situation. The Constitutional Court was currently examining the question whether the Ministry of the Interior had acted legally, which at least proved the effectiveness of the Slovak supervisory institutions. The Government had undertaken to study the consequences of the annulment of the referendum, in order to prevent a recurrence of the situation. It would therefore examine the legislation governing referendum procedures and possible amendments would probably be debated in Parliament. For the time being, therefore, there was no specific measure to report, but the intention to settle the question by parliamentary means had been asserted.

42. Mr. PROCHACKA (Slovakia) said he had noted the Committee's interest in the situation of minorities and would in the first place deal with the question of education, the essential means of ensuring the full participation of members of minorities in civil life. The preservation of the identity of the Hungarian minority was guaranteed above all by the existence of a monolingual school system for "Hungarians". During the school year 1966/67, 77 per cent of children of Hungarian origin had been enrolled in the 286 kindergartens intended for such children; 82 per cent of "Hungarian" children enrolled in primary schools had attended 264 "Hungarian" primary schools; and 80 per cent of "Hungarian" secondary pupils had attended 11 secondary schools; and 63 per cent of "Hungarian" students taking vocational courses had attended 5 secondary technical schools and 3 paramedical schools.

There were also special schools for physically or mentally disabled children of Hungarian origin. The figures for 1994/95 showed that the rate of attendance at "Hungarian" schools had remained unchanged.

43. As to "Hungarian" pupils' knowledge of the Slovak language, it was true that the spread of education in the mother tongue of the minority meant that "Hungarian" pupils did not know Slovak sufficiently well to follow the Slovak school programme. That fact, together with insufficient interest in university studies, meant that the "Hungarians" enrolled in or graduating from university were less numerous than not only Slovaks but also the members of other national minorities. It was therefore more difficult for "Hungarians" to find a skilled job, and that situation was creating barriers which isolated the Hungarian minority from the rest of Slovak society. In order to remedy the situation, the Ministry of Education had taken measures to improve the teaching of Slovak to minorities and specialists had been asked to propose innovative methods. The Ministry had also inaugurated a bilingual education system in which certain subjects (e.g. social sciences and natural sciences) were taught in Slovak in "Hungarian" schools; children whose parents so wished attended the relevant classes. "Hungarian" children now had the possibility of choosing between education in a Slovak school given entirely in Slovak, education given solely in Hungarian and bilingual education. For the school year 1995/96, the bilingual system had functioned in 30 kindergartens, 1 primary school and 3 secondary schools.

44. As to the right to information, it should be noted that the Radio Act and the Television Act guaranteed the promotion of minority cultures by means of express provisions. That legislation thus provided that radio and television should reserve broadcasting time for national minorities. Specifically, Slovak radio reserved 35 broadcasting hours a week for programmes in Hungarian and television had a weekly 30-minute news magazine programme in Hungarian, the last week of each month being reserved for broadcasts for the Ruthenians and the Ukrainians. Private radio stations also broadcast numerous programmes in Hungarian.

45. On the question of the right to use one's own language, he acknowledged that the repeal of the Official Language Act had created a kind of legal vacuum. However, the right, for minorities, to speak their own language and use it in official communications was guaranteed by the Constitution, and it was exercised in practice, even in the absence of an express legal provision. In any event, there were plans to fill that legal vacuum; it was only a question of time.

46. Mr. JEZOVICA (Slovakia), replying to a question about the case of asylum-seekers who had reportedly been held in police custody for 40 days, said that he had no knowledge of that case. It was very probably a baseless rumour since asylum-seekers in Slovakia were not placed in detention. The only people who could be placed in detention were those who had been refused refugee status, and only on certain conditions (if the person concerned could not be expelled because of prosecution proceedings against him or because he was awaiting a travel document).

47. Replying to the questions concerning Slovak nationality and family reunification for foreigners, he said the law provided that a foreigner

married to a Slovak woman was entitled to a permanent residence permit, which could also be granted on humanitarian grounds in other cases. As to the acquisition of nationality, it should be borne in mind that every citizen of the Slovak region of the former Czechoslovakia had automatically become a citizen of the new Slovak State. Generally speaking, any national of the former Czechoslovakia could acquire Slovak nationality by simply making a declaration that he wished to do so. Those provisions were aimed at limiting the adverse effects which could not be avoided when one State broke up and another State was born from its ashes.

48. As to the question of the treatment of detainees and, in particular, the case of persons held in police custody who had reportedly been handcuffed to a radiator, he said that such treatment was obviously inhuman and constituted a flagrant breach of the law. The Police Act specified the conditions in which police officers could handcuff a suspect (if he had disobeyed an order, if he had caused property damage or if it was thought that he might try to escape). In addition, an information campaign aimed at giving the police guidance on action to be taken in such circumstances was currently under way.

49. Mrs. LAMPEROVA (Slovakia), replying to a question concerning the Prevention of Crime Bill, said that prevention was better than punishment. Thus, the Slovak legislature, in conjunction with the Crime Prevention Commission set up by the Government, had been working on that bill for several years. In Slovakia, there had recently been an increase in previously unknown offences, such as car theft, organized crime and money laundering. The bill was thus constantly having to be updated and did not fully reflect the actual situation. It had been submitted to the Legislative Council of the Government. Since she did not know its exact content, she was unable to give further details; she nevertheless assured the Committee that the Slovak authorities would make a point of communicating the text of the law as soon as it had been enacted, together with any other information the Committee might wish to receive.

50. A question had been asked about the meaning of what she had called the "hidden crime" whose victims were women. Such crime could be said to be hidden in two respects: firstly, because a woman who had been raped might not wish to report the rape for reasons of conscience, family or religious reasons, etc.; and secondly, there were a number of lacunae in legislation on the matter. For example, a rape victim was required to repeat the account of the attack many times - before the persons conducting the inquiry, the examining magistrate, etc., which constituted an ordeal and a situation that should be remedied through legislation. One of the commissions responsible for the codification of criminal law was dealing with the question of rape victims, and she hoped that its work would be fruitful.

51. On the question of requests by detainees, the following procedure was followed: the request was addressed to the governor of the prison concerned, but could be communicated to him by any staff member. The request was first examined by the governor, before being forwarded to the prison board, which was composed of the procurator responsible for the supervision of prisons, a magistrate and other senior prison officials and met twice a year.

52. Mr. GREXA (Slovakia) considered that the oral questions which had been asked about the mandatory defence of accused persons stemmed from a misunderstanding, since the right to be assisted by counsel was guaranteed to

every person charged with an offence or placed in detention. The law provided for a number of cases in which the defence of the accused was mandatory, and in that connection he drew attention to what was stated in paragraph 49 of the report (CCPR/C/81/Add.9). If a person charged with a minor offence and allowed to remain free did not choose a defence counsel, he was not assigned one automatically. Generally speaking, the provisions on that question in no way jeopardized the right of the accused to be assisted by a defence counsel.

53. One member of the Committee had asked whether, if the accused did not wish to be defended by a lawyer, the State was automatically required to appoint one for him. That question was currently under discussion in Slovakia, and his delegation would be happy to hear the Committee's opinion, which would be duly taken into account.

54. The CHAIRMAN said she understood that a defence counsel was appointed automatically when the minimum penalty for the offence was five years' imprisonment. But at what point did the defence counsel intervene in the pre-trial proceedings, namely between arrest and placing in detention? In France, for example, the lawyer intervened after 20 hours of police custody, and a bill enabling him to intervene immediately after the arrest had been submitted. What was the situation in Slovakia?

55. Mrs. LAMPEROVA (Slovakia) said that, in accordance with the law, any person under arrest could contact a lawyer or a member of his family as soon as he had been informed of the charge against him.

56. Mr. YALDEN thanked the Slovak delegation for the details it had provided on the question of minorities, but noted that it had given no reply concerning the Official Language Bill and its effects on the minorities' right to use their language in official communications. The delegation had implied that that bill would be enacted shortly, but that was contradicted by information originating from NGOs. In addition, a representative of the Ministry of Culture had apparently stated that there were no plans to enact new legislation in that area. What was the current situation with regard to the language rights of minorities? And what legislative measures were envisaged?

57. Mr. BHAGWATI, reverting to the question of the defence of the accused, said he would like to know whether, if a suspect could not afford to employ a defence counsel, the State appointed one immediately after the arrest or only during the subsequent stages.

58. Mrs. MEDINA QUIROGA observed that a number of her questions had not yet been answered, in particular the questions concerning defamation of a police officer or other official, academic freedom and measures which might be taken to improve the status of women in the areas of education and employment.

59. Mrs. KRASNOHORSKA (Slovakia) assured the Committee that her delegation would endeavour to reply as precisely and fully as possible, during the next meeting devoted to consideration of the initial report, to all the outstanding questions.

The meeting rose at 5.55 p.m.